

# ***EXHIBIT “6”***

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRIAN K. COSGROVE, on behalf of himself  
and all others similarly situated,

Plaintiff,

vs.

CITIZENS AUTOMOBILE FINANCE, INC.,

Defendant.

CLASS ACTION

CIVIL ACTION NO. 09-CV-1095(BMS)

**CERTIFICATION OF CARY L. FLITTER IN SUPPORT OF PLAINTIFF'S MOTION  
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND  
MOTION FOR AWARD OF ATTORNEY FEES AND COSTS**

I, CARY L. FLITTER, certify the following to be true and correct:

I am an adult individual, a member of the bar of this Court in good standing. I am counsel for the Plaintiff in the above-captioned action. This Certification is submitted in support of Plaintiff's Motion for Final Approval of Class Settlement and for Award of Class Counsel Fees and Costs.

**A. Qualifications of Counsel**

1. I am the partner responsible for litigation with the law firm of Lundy, Flitter, Beldecos & Berger, P.C. with offices in Montgomery County, Pennsylvania and Burlington County, New Jersey. My practice entails a variety of consumer credit matters and other diverse commercial disputes, including consumer class actions.

**Bar Admissions**

2. I have been admitted to the bar for 30 years (1981). I am admitted to practice and in good standing before the United States Supreme Court (1999), the United States Court of Appeals for the Third Circuit (1983), the Fourth Circuit (1990), and the Eighth Circuit (2001);

the United States District Court for the Eastern District of Pennsylvania (1981); Middle District of Pennsylvania (1995), District of New Jersey (1981); the Supreme Court of Pennsylvania (1981) and the Supreme Court of New Jersey (1981).

**Teaching Appointments and Academic Guest Lectures**

3. a) Temple University, James E. Beasley School of Law -- Adjunct Faculty, Consumer Law and Litigation, appointed 2009;

b) Widener University School of Law -- Adjunct Faculty, Consumer Law & Litigation, appointed 1999;

c) Philadelphia University -- Adjunct Professor, Commercial Law (1991 to 1998).

4. I have delivered guest lectures at these academic venues:

- Harvard Law School, Cambridge, MA, *Consumer Litigation Strategies and the Law of Statutory Attorneys Fees*, March 2007;
- University of Houston Law Center, Houston, TX, (Symposium for Consumer Law Professors) *Teaching Consumer Law*, May, 2008;
- University of Salvador, School of Law, Buenos Aires, Argentina, *Comparative U.S. Protection Laws*, August 2008;
- University of Utah, SJ Quinney College of Law, *The Law of Deception Under the Fair Debt Collection Practices Act*, March, 2009;
- Gonzaga University School of Law, Spokane, WA, *Consumer Class Action Fundamentals*, October, 2010; *Consumer Law Strategies and Developments*, February, 2010;

- University of Pennsylvania Law School, Philadelphia, PA, Co-Presenter, *Advocacy for Justice in Consumer Matters*, March, 2011.

### **Education**

5. 1976 - Philadelphia University - Bachelor of Science in Finance. Recipient, 1997 Hughes Award for the Advancement of Scholarship. President, Alumni Board 1990-92. Member, College Board of Trustees, 1990-92.

1981- Delaware Law School of Widener University - Juris Doctor; American Jurisprudence Award for scholarship in Corporations and Partnerships; 1998 Outstanding Service Award for dedication and service to the legal community.

National Institute for Trial Advocacy:

1986 - Trial Skills and Methods - University of Pennsylvania;

1990 - Federal and State Court Motion Practice - University of Denver;

2009 – Graduate, Spence Trial Lawyers College.

### **Legislative/Administrative Proceedings**

6. *Federal Trade Commission, Division of Financial Practices: Panelist, Workshop on Debt Collection -- Protecting Consumers*, Washington DC, December, 2009; *Federal Trade Commission, Division of Financial Practices: Panelist, Workshop on Debt Collection -- The Role of Creditors*. Washington DC, October, 2007 (Testimony cited in FTC Final Report found at <http://www.ftc.gov/bcp/workshops/debtcollection/dcwr.pdf> ).

### **Bar Lectures/CLE Presentations**

#### **2011**

7. Co-presenter, *Fair Debt Collection Practices Act, Ask the Experts*, National Consumer Law Center Conference, Seattle, WA, March, 2011; Co-presenter, *Creditor Liability for*

*Debt Collector Conduct: What Your Collectors and Law Firms do Can Hurt You*; ALI-ABA Telephone Seminar, February 22, 2011.

**2010**

Course planner and presenter: *Consumer Law Strategies for the Legal Aid Lawyer*, Philadelphia, Harrisburg, Pittsburgh, PA, November, December, 2010; Course planner and co-presenter, *Consumer Credit Law Developments* (federal and Pennsylvania) with Theodore Lorenz, Esq., Montgomery Bar Association, Norristown, PA October 2010; Course planner and co-presenter, *An Afternoon with our Federal Bench*, with Hon. Anthony Scirica, Hon. D. Michael Fisher, USCA, and Hon. Harvey Bartle, Chief Judge, USDC, E.D. Pa., Montgomery Bar Association, Norristown, PA, June 2010; Co-Presenter, *Fair Debt Collection Practices Act: Ask the Experts*, National Consumer Law Center program, Jacksonville, Florida, February 2010.

**2009**

Co-Presenter, *Fair Debt Collection Practices Act, Ask the Experts*, National Consumer Law Center Annual Conference, Philadelphia, PA, October 2009; *Ethical Issues in Class Counsel Fees*, National Consumer Law Center Class Action Symposium, Philadelphia, PA, October, 2009; Course Planner and Co-Presenter *Federal Court Update*, Montgomery Bar Association (at Nemacolin) October, 2009; Course Planner and Co-Presenter, *Consumer Debt Litigation*, Pa. Bar Institute, Philadelphia, PA (simulcast to 5 Pa. locations), June, 2009; Co-Presenter, *Impermissible Access to Consumer Credit Reports*, National Association of Consumer Advocates Fair Credit Reporting Act Conference, Chicago, IL, May, 2009; Co-Presenter, *Ethical Issues in Consumer Class Action Practice*, National Consumer Law Center Annual Fair Debt Conference, San Diego, CA, February 2009.

**2008**

Co-Presenter, CLE: *Doing Well While Doing Good; What Makes a Successful and Fulfilling Consumer Law Practice*, National Consumer Law Center, Portland, OR, October, 2008; Course Planner and Co-Presenter, CLE: *The Third Circuit Comes to Montgomery County*, with Hon. Kent A. Jordan, U.S.C.A. and Hon. Marcia Waldron, Clerk, U.S.C.A. *Effective Appellate Advocacy in the 3d Circuit Court of Appeals*, Montgomery Bar Association, Norristown, PA, November, 2008.

**2007**

Co-Presenter, *Civil Remedies for Identity Theft*, Widener University School of Law, Wilmington, DE, August 2007; Presenter, *Permissible Uses of Consumer Credit Reports*, National Association of Consumer Advocates Fair Credit Reporting Conference, Denver, CO, May 2007; Course Planner and Co-Presenter: *Consumer Credit Litigation Developments*, Pa. Bar Institute, Philadelphia and Allentown, PA, March 2007; Co-Presenter: *FDCPA Developments, Ask the Experts*, National Association of Consumer Advocates Fair Debt Collection Practices Conference, Tucson, Arizona, March, 2007.

**2006**

Course Planner and Co-Presenter, *FDCPA After Brown v. Card Service Center: What is Deceptive?*, Pa. Bar Institute Webcast, Philadelphia, December, 2006; Co-Presenter, *Developments in Class Trial Plans*, National Consumer Law Center Class Action Symposium, Miami, FL, November, 2006; Presenter, *Impermissible Access to Consumer Credit Reports*, National Association of Consumer Advocates, Las Vegas, NV, May, 2006; Co-Presenter, *Fair Debt Collection Practices Act Developments, Ask the Experts*, National Association of Consumer Advocates, Austin, TX, February 2006.

**2005**

Course Planner & Co-Presenter, *Consumer Credit Litigation Developments*, Montgomery Bar Association, Continuing Legal Education, November 2005; Co-Presenter, *Identity Theft, (Including FCRA Remedies)* Pa. Bar Institute, Continuing Legal Education, Atlantic City, NJ, August 2005; Co-Presenter, *Settling Complex Financial Services Class Actions*, and Co-Presenter, *Developments in Automobile Financing & Leasing Litigation*, Practising Law Institute, 10<sup>th</sup> Annual Consumer Financial Services Litigation Institute, Chicago, IL, June 2005; Course Planner, Co-Presenter, *Identity Theft: Don't Be Their Next Victim*, Widener University School of Law, Wilmington, DE, Continuing Legal Education, April, 2005; Presenter, *Fair Debt Collection Practice Act Developments*, National Association of Consumer Advocates, Washington, DC, March 2005.

**2004**

Co-Presenter, *Insurance Coverage for Consumer Credit Disputes*, National Consumer Law Center Annual Conference, Boston, MA, October 2004; Co-presenter, *Identity Theft*, Pa. Bar Institute, Continuing Legal Education, April 2004 Philadelphia (Simulcast to Harrisburg); Presenter, *Fair Debt Collection Practices Act Developments*, National Association of Consumer Advocates, Kansas City, MO, April 2004; Presenter, *Developments in Law of Access to Consumer Credit Reports*, National Association of Consumer Advocates Fair Credit Reporting Act Symposium, Chicago, IL, May 2004.

**2003**

*Civil Remedies for Identity Theft*, Montgomery Bar Association, Continuing Legal Education, October 2003; *Fair Debt Collection Practices Act ABC's*, National Consumer Rights Litigation Conference, Oakland, California, October 2003; Co-Presenter *Class Action*

*Symposium: Developments in the Law of Plaintiff Adequacy Under Rule 23(a)(4)*, National Consumer Rights Litigation Conference, Oakland, CA, October 2003; *A Primer on Consumer Law for the Bankruptcy Practitioner*, Pennsylvania Bar Institute Annual Bankruptcy Symposium, Harrisburg, PA, September 2003, Philadelphia, PA, August 2003; *A Current Look at Federal Court – the Eastern District of Pennsylvania* with Hon. Edmund Ludwig and Hon. Linda Caracappa, Bucks County Bar Association, April 2003; Course Co-Planner and Presenter; *Developments in Statutory Attorneys Fees* with Hon. Lowell Reed and Timothy Myers, Esq., Montgomery Bar Association, April 2003.

## **2002**

*Use of Expert Witnesses in Consumer Financial Services Litigation*, American Bar Association, Section on Consumer Financial Services @ Annual Conference, Washington, DC, August, 2002; *Consumer Law Alternatives to Bankruptcy*, Pennsylvania Bar Institute, Annual Bankruptcy Symposium, Philadelphia, PA, August, 2002; Course Co-Planner and Presenter: *Impermissible Access to Consumer Credit Reports*, National Association of Consumer Advocates, Albuquerque, NM, June 2002; *Auto Dealer Finance Fraud*, Montgomery Bar Association, Debtor/Credit Committee Presentation, May 2002; Course Co-Planner and Presenter: *Issues in Consumer Law, Consumer Credit Protection Act*, Iowa Legal Services Corporation (simulcast to 10 locations), Council Bluffs, IA, February 2002.

## **2001**

*Consumer Law Developments 2001*, Montgomery Bar Association, Continuing Legal Education - December 2001; *Issues in Using Financial Experts After Daubert and Kuhmo Tire*, National Consumer Rights Litigation Conference, Baltimore, MD - October 2001; Denver, CO -



October 2000; *Developments Under the Fair Credit Reporting Act*, National Association of Consumer Advocates, Las Vegas, NV - June 2001.

## **2000**

*Statutory Attorney's Fees* with Honorable William H. Yohn, Jr. and Mark Kearney, Esquire, Montgomery Bar Association - July 2000.

## **1999**

*Consumer Law for Fun & Profit*, Montgomery Bar Association, Continuing Legal Education - 1999, 1998, 1997; *Statutory Attorney's Fees*, National Consumer Rights Litigation Conference, Washington, DC - October 1999; San Francisco - 1996 (partial list).

## **Publications**

8. Contributing author, *Pennsylvania Consumer Law* by Carolyn Carter, Bisel Publishing Co., 2003, Supp. 2009. This is the leading legal treatise in Pennsylvania on consumer law issues.

9. Contributor, *Consumer Class Actions*, 5<sup>th</sup> Ed., National Consumer Law Center, Boston, MA.

10. Legal Intelligencer - *When is a Lawyer a Debt Collector?* - February 2000; Legal Intelligencer - *Consumer Protection Law Amendments Add Teeth* - March 1997; The National Law Journal - *Statutory Attorney's Fees* - February 1999 (partial list).

## **Quoted/Featured/Contributed**

11. Allentown Morning Call - *Court Tosses Debt Collector's Suit*, February 21, 2011; NBC10 TV News - *Fight Back Against Abusive Debt Collectors*, Tracey Davidson segment, March 31, 2009; Fox29 TV News - *Local Pay Day Lender Dumping Financial Documents*, January 2009; New York Times - *Citing 15 Year Delay, Suit Seeks Action on Rebuilt*

Wrecks - Feb. 10, 2008 (automobiles); Fox29 TV News - 2007; Time Magazine – *Sue Up or Shut Up!* – October 19, 2006 - [www.time.com/time/nation/printout/0,8816,1548158,00.html](http://www.time.com/time/nation/printout/0,8816,1548158,00.html); Consumer Financial Services Law Report – *A Dunning Letter that Could Propose Legal Action may Violate FDCPA* – October 18, 2006; ABA Journal EReport – *Coulda Woulda Shouldn'ta Debt Collectors Who Warn They Could (But Don't) Sue May Run Afoul of Debt Act* – October 18, 2006 - [www.abanet.org/journal/ereport/oc13debt.html](http://www.abanet.org/journal/ereport/oc13debt.html); Fox 29 TV News Consumer Alert: *Local Car Dealership Customers Victimized by ID Theft* – August, 2006; Consumer Financial Services Law Report, *Do the Math: FDCPA Class Action Award Depends on Statutory Language* – August, 2006; NBC10 TV News Consumer Alert - *Legal Redress for Fraudulent Sales* – April 11, 2006; Debt Collection Compliance Alert: *Avoid These Traps - 6 Mistakes that Can Get You Sued* – July 2005; Consumer Financial Services Law Report: *Liability May Follow Deviation From FDCPA Notice Language* – May 18, 2005; Consumer Financial Services Law Report: *ID Theft Claim Against Car Dealer Shifts Into Gear* – August 11, 2004; Philadelphia Inquirer, *Montgomery County Car Dealer to Face Class Action for Identity Theft* – October 2002; Consumer Financial Services Law Reporter, *Advantages and Disadvantages of Using Expert Witnesses in Consumer Finance Litigation* - August, 2002; Bankrate.com, *Consumer Remedies Under the Fair Credit Billing Act* - June 2002; NBC-10 TV News, *Consumer Online Chat* - January 2001; Fox-29 TV News, *Automobile Financing Fraud* - November 2000; CBS News Market Watch, *Effect of Credit Repair Organizations Act* - October 2000; Fox-29 TV News *Predatory Lending* - October 2000; Pennsylvania Lawyer Magazine *Sleuthing Through the Ledger* - January/February 1999; Legal Intelligencer, *Kelly: 9.5 Million Damage Range Not Specific Enough for Discovery* - June 1998; Legal Intelligencer, *Class Action Settlement Worked out with Bally's Collection Attorney* - July 1997.

**Bar Association Appointments/Honors**

12. I serve as the year 2011 Co-Chair of the Federal Courts Committee of the Montgomery Bar Association. In that capacity, I assist in liaison projects between the County Bar and the Eastern District bench and Third Circuit bench, and events and visits by our judges and planning and presentation of CLE program(s) on federal practice developments. I have also served as Co-Chair of that committee in 2000 and 2002-2010. We were honored with Committee of the Year Award (2000) by the president of the Montgomery Bar Association.

13. I was appointed by (then) Chief Judge Giles to the E.D. Pa. Magistrate Judge Retention Panel, 2003-04. I was appointed by Chief Judge Bartle to the Magistrate Judge Selection Panel, 2006.

14. I was honored to receive the Jeffrey A. Ernico Award for Support of Legal Services to the Public by the President of the Pennsylvania Bar Association in October of 2006.

**B. Market Rate**

15. \$555.00/hr. represents my present billing rate for consumer credit litigation matters in 2011. This represents a fair and reasonable market rate for an attorney with similar credentials and experience in this District. This rate was recently approved by Judge Rufe in a consumer credit action styled *Harlan v. NRA Group, LLC*, 2011 WL 813961 (E.D. Pa. Mar. 2, 2011) (Rufe, J.) (recognizing our “national reputation in consumer law”). This rate was also utilized and fees approved (without discussion) as part of the final approval in February 2011 in *Jones v. Client Services*, U.S.D.C. E.D. Pa. 10-cv-343 (LDD) (Doc. No. 21).

16. Theodore Lorenz is a partner with the firm. He was admitted to practice in 1993. Mr. Lorenz’s billing rate for 2011 is \$410.00/hr. That represents a fair, reasonable market rate for an attorney of Mr. Lorenz’s experience and credentials and the rate the firm typically charges

and receives for his services. Mr. Lorenz's hourly rate at \$410.00 was submitted in and the basis for approval of class counsel fees in *Jones v. Client Services, supra* at 15. Mr. Lorenz's credentials are described in his Certification filed herewith.

17. Andrew M. Milz has been an associate at our firm since April 2008. Mr. Milz is a 2008 graduate of Temple University, Beasley School of Law where he was Executive Editor of the Temple Political and Civil Rights Law Review. Mr. Milz's billing rate for 2011 is \$245/hr. This represents a fair, reasonable market rate for an attorney of Mr. Milz's experience and credentials and the rate the firm typically charges and receives for his services. Mr. Milz's 2011 rate of \$245/hr. was approved, on contest, in *Harlan v. NRA, supra* at 15. Mr. Milz's credentials are set forth in his Certification.

18. Approximately 3000 loan files, yielding tens of thousands of pages of documents, were produced in discovery. To aid in the copious document review involved with this litigation, our firm hired a contract attorney, Jessica W. Leisawitz. Ms. Leisawitz is a 2007 graduate of Duquesne University Law School and a *magna cum laude* graduate of the George Washington University. She is a former Summer Law Clerk to the Hon. Kathryn Hens-Greco in the Allegheny Co. Court of Common Pleas, and a former associate of the Rabenold Koestel Scheidt, P.C. firm where she practiced general litigation. The firm bills Ms. Leisawitz's time at \$245.00 an hour, a fair and reasonable market rate for an attorney of her credentials and experience in this District and for an attorney handling the role of intense document review and damages calculation.

19. Nancy G. Flitter, a legal assistant at the firm, also spent a significant amount of time reviewing and cataloguing the documents produced by CAF in this litigation. She created a matrix to track the several versions of Retail Installment Sales Contract, and corresponding

Repossession Notice(s). Ms. Flitter has 8 years experience as a legal assistant, and the time she incurred was necessary for the successful prosecution of this case. The firm bills Ms. Flitter's time at \$160.00 an hour, a fair and reasonable market rate in this District.

20. The time spent by Joan Raughley, legal assistant with the firm was modest, but was reasonable and necessary for an effective prosecution of the case. Ms. Raughley also organized documents produced, assisted with the Excel spreadsheet for damages calculations, proofread the briefs, and the like. Ms. Raughley has some 30 years experience as a litigation assistant. The firm bills Ms. Raughley's time at \$160.00 an hour, a fair and reasonable market rate.

**C. Hours Spent**

21. We use a computerized timekeeping system which records and tracks our time on a daily basis. The policy and practice of the firm and its members is to record time contemporaneously, on a daily basis. The firm's time has been summarized in the chart below.

22. The Court of Appeals instructs Class Counsel to provide a summary of time spent on a class case as a "lodestar cross-check" where fees are being sought pursuant to a common fund. *In Re Rite Aid Corp. Sec. Litig.*, 396 F.3d 294, 306-07 (3d Cir. 2005).

23. The time spent prosecuting this matter by all the professionals at my firm was both reasonable and necessary, for Lundy, Flitter, Beldecos & Berger, P.C. ("LFBB"). The time expended is as follows:

**Lundy, Flitter, Beldecos & Berger, P.C.**

<b><u>Lawyer</u></b>	<b><u>Hours</u></b>	<b><u>Hourly Rate</u></b>	<b><u>Amount</u></b>
Cary L. Flitter	408.4 hours	\$555.00	\$226,662.00
Theodore E. Lorenz	413.2 hours	\$410.00	\$169,412.00
Andrew M. Milz	352.3 hours	\$245.00	\$ 86,313.00
Jessica Leisawitz	319.0 hours	\$245.00	\$ 78,155.00
Joan M. Raughley	33.75 hours	\$160.00	\$ 5,400.00
Nancy G. Flitter	114.2 hours	\$160.00	\$ 18,272.00
<b>TOTAL AMOUNT OF FEES EXPENDED</b>			<b>\$584,214.00</b>

24. The time set forth above by my firm was spent, *inter alia*, on the following important tasks essential to this litigation:

- a. Client intake, fact investigation, management of the case up to and including the filing of the Class Complaint;
- b. Legal research, briefing, and argument in opposition to CAF's Motion for Judgment on the Pleadings (Doc. Nos. 26, 30, 34);
- c. Document and data analyses of approximately 3000 loan files in preparation for class certification and proof of class-wide damages (approximately 450 hours);
- d. Drafting four sets of document requests, two sets of interrogatories and a set of requests for admissions, reviewing responses to discovery, and drafting discovery motions (as well as opposing defendant's discovery motions) (Doc. Nos. 25, 35, 43, 45, 46, 53, 60, 65);
- e. Preparing for and taking depositions of CAF representatives:
  - i. Brian St. Louis (manager of litigation and liquidation department),
  - ii. Cheryl Lemos (senior recovery manager),
  - iii. David Senecal (business unit risk manager),
  - iv. John Tonelli (repossession specialist) taken in Providence, Rhode Island,
  - v. Lisa Testa (loss mitigation specialist) taken in Providence, Rhode Island,

- vi. Raymond Peloso (senior vice president and head of problem debt management organization), and
  - vii. Stephen Ritarossi (collections manager in the repossession department)
- f. Opposition to CAF's motion to amend the answer to assert counterclaim against individual class members (Doc. Nos. 47, 63);
  - g. Preparing and moving for class certification (Doc. No. 77) and replying to CAF's opposition to the motion for class certification (Doc. No. 82);
  - h. Drafting the settlement documents, negotiating and re-negotiating settlement details, preparing draft Class Notice, proposed Orders for preliminary and final approval, retaining a Class Administrator and all work attendant to moving for preliminary approval of the settlement;
  - i. Drafting the moving papers, handling class inquiries, communicating with the class administrator, and all work attendant to attaining final approval of the class settlement; and
  - j. Future work that will include handling inquiries from class members, assuring credit reports are corrected, judgments are satisfied and other terms of the settlement are complied with.

In addition, significant time was expended in regards to: communicating with opposing counsel, the Court, and class administrator; conferences, strategy, miscellaneous legal research and memoranda related to topics arising throughout the litigation; preparation of exhibits, and other necessary tasks.

25. The above fees do not account for future work, which is inevitable in a consumer class action such as this. As of August 4, 2011, our firm is still receiving and handling several phone call inquiries from class members per month, arranging for fixes to un-corrected credit reports on class members' behalf, serving subpoenas on debt buyers and other judgment holders, and still attempting to obtain vacation or satisfaction to state court judgments per the settlement agreement. I expect that my firm will have considerable follow-up on dealings and work post-approval. There is no provision for, and Class Counsel does not intend to seek, additional legal fees for post-approval compliance work of the firm.

26. The costs expended \$14,073.00 were modest and necessarily incurred to prosecute the case. They include: costs for document copying, electronic legal research, court fees, travel expenses, meals, mail, expert witnesses David Stivers and D. Glusman, C.P.A. and long distance telephone expenses. The chart below sets forth our costs incurred:

**COSGROVE CHART OF EXPENSES**

<b><u>EXPLANATION</u></b>	<b><u>CHARGE</u></b>
Complaint filing fee	\$ 350.00
Service of Complaint	\$ 50.00
Deposition transcripts	\$3,077.00
Service of subpoenas and witness fees	\$ 347.00
Air Travel Expenses	\$ 321.00
Hotel & Travel Expenses for Out of Town Deposition	\$ 436.00
Expert Witness, D. Stivers; D. Glusman	\$5,045.00
Westlaw	\$1,753.00
Federal Express	\$ 118.00
Bulk Photocopying	\$2,190.00
Binding Charges	\$ 44.00
Teleconference Charges	\$ 73.00
Parking	\$ 269.00
<b>TOTAL</b>	<b>\$14,073.00</b>

27. These costs were actually, reasonably and necessarily incurred.

28. The Settlement Agreement in this case was bargained for at arms length, after vigorous litigation and copious discovery. I believe the settlement proposed represents an excellent result for the Class. The combined benefit of cash, debt forgiveness and credit repair, in my view, equals or exceeds the best possible scenario were the case to be fully litigated to conclusion and appeal, while reducing risk and providing immediate benefits.



Pursuant to 28 U.S.C. § 1746, I certify, under penalty of perjury that the foregoing is true and correct.

Date: 8/4/2011

Cary L. Flitter  
CARY L. FLITTER  
Attorney for Plaintiff and the Class

LUNDY, FLITTER, BELDECOS &  
BERGER, P.C.  
450 N. Narberth Avenue  
Narberth, PA 19072  
(610) 822-0782